

Ray D. Hacke, OSB #173647
PACIFIC JUSTICE INSTITUTE
1850 45th Ave. NE, Suite 33
Salem, OR 97305
(503) 917-4409 Phone
(916) 857-6902 Facsimile

Attorneys for Plaintiffs
ABOLISH ABORTION OREGON et al.

UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

ABOLISH ABORTION OREGON, An
Unincorporated Association, *et al.*,

Case No.: 1:20-CV-00484-AA

Plaintiffs,

v.

CITY OF GRANTS PASS, A
Municipality, *et al.*,

Defendants.

**DECLARATION OF LORI
MAYBERRY IN SUPPORT OF
MOTION FOR PARTIAL
SUMMARY JUDGMENT
GRANTING DECLARATORY
RELIEF AND PERMANENT
INJUNCTION**

I, LORI MAYBERRY, hereby declare as follows:

1. I am a member of ABOLISH ABORTION OREGON (“AAOR”), one of the Plaintiffs in the herein proceeding. I am also an individual Plaintiff in the herein proceeding. In addition, I am the wife of Mark Mayberry and the mother of Robby Mayberry and Ricky Mayberry (“Ricky”) – all of whom are Plaintiffs in the herein proceeding.

2. I live in Riddle, Oregon.

3. Like other AAOR members, I am dedicated to calling the public’s attention to the horrors of abortion and calling on legislators to abolish and

criminalize the inhumane practice. I do this because the Bible calls me to “[o]pen your mouth for the speechless, in the cause of all who are appointed to die” (Proverbs 31:8) – which, in our estimation, includes the unborn.

4. I also feel compelled to speak to ensure that those who have not yet embraced the gospel of Jesus Christ do so and thereby attain eternal salvation. Accordingly, I frequently participate in AAOR’s anti-abortion and evangelism-related activities.

5. AAOR typically has at least one evangelism outing per month, sometimes more. The organization’s members travel all over Oregon – and sometimes beyond – to engage in Christian evangelism outreach and anti-abortion activism. Typically, about 8-10 members participate in each outing.

6. On at least two occasions, while engaging in evangelism-related activities in Grants Pass, I have either endured harassment from officers with the city’s Department of Public Safety (“DPS”) or witnessed DPS officers target one of my sons:

- a. On June 17, 2019, I, my son Ricky – who was then age 14 – and other AAOR members were engaged in constitutionally protected free speech activities on the public sidewalk outside the Planned Parenthood abortion clinic (“Planned Parenthood”) at 180 Northwest Franklin Boulevard. Ricky was sitting in a lawn chair on the sidewalk, holding an anti-abortion sign, when DPS officer Timothy Artoff approached and cited Ricky for “obstructing traffic.” Officer Artoff told Ricky, “You’ve been warned” – even though it was the first interaction Ricky had ever had with Officer Artoff in the multiple times Ricky had accompanied me on AAOR’s outings.
- b. Furthermore, when he cited Ricky, Officer Artoff falsely claimed that Ricky had been sitting in the street, in a handicapped parking

spot near the curb. Ricky had, in fact, been sitting in a lawn chair on the sidewalk at the time.

- c. A sign Ricky was holding had fallen out of his hands into the handicapped spot once or twice. However, both times, Ricky promptly stood up, retrieved the sign, and got back into his chair so that he would not obstruct cars seeking to enter the parking space.
- d. My son is also a considerate person who would have picked up both his sign and his lawn chair and moved to make room for someone exiting any vehicle that entered the parking space.
- e. Officer Artoff's citation of Ricky was a pretext to silence him and other AAOR members from speaking out against abortion and/or sharing the gospel, and Officer Artoff targeted a 14-year-old kid to do it. Ricky's citation was ultimately dismissed, but not before my husband and I had to drive him down to Grants Pass so he could contest the ticket and then spent roughly 2½ more months worrying about his impending trial.
- f. On August 28, 2019, I and several other AAOR members went to share our message on the public sidewalk outside Planned Parenthood. Jim Hamilton, DPS' deputy chief, took it upon himself to talk to me and make sure we were not using sound-amplifying equipment to preach our message. Officer Hamilton threatened to cite me for disorderly conduct during our encounter, video of which is attached hereto as **Exhibit "A."** I took the video with my cell phone, and it is a true and accurate depiction of my interaction with Officer Hamilton. Officer Hamilton used the threat of arrest to intimidate me and my fellow AAOR members into silence.

I declare under penalty of perjury of the laws of the United States of America and the State of Oregon that the foregoing is true and correct, and that this declaration was executed on May 27, 2021 in Riddle, Oregon.

Lori Mayberry
Lori Mayberry

EXHIBIT “A”

<https://www.youtube.com/watch?v=zN7v6zS2NvE>